

Staff Summary Report



Hearing Officer Hearing Date: July 17, 2007

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by **FIFTH STREET INDUSTRIAL PLAZA INC. (PL060569)** located at 1979 East 5th Street for one (1) use permit.

DOCUMENT NAME: 20070717dsjc01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **FIFTH STREET INDUSTRIAL PLAZA INC. (PL060569)** (James Phillips/Architect, applicant; Marvin Spaz, property owner) located at 1979 East 5th Street in the GID, General Industrial District for:

ZUP07077 Use permit to exceed 125% of the required parking (from 58 spaces to 94 spaces).

PREPARED BY: Jon Christopher, Planner II and Shawn Daffara, Planner II (480) 858-2284

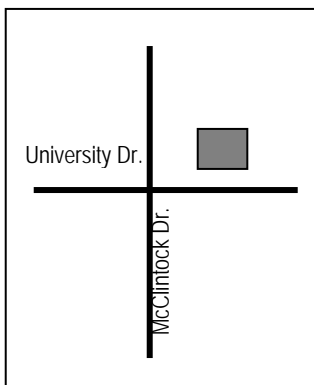
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions (1 – 3).

ADDITIONAL INFO: The applicant is seeking a use permit to allow the number of parking spaces for their proposed development to exceed the minimum required per the Zoning and Development Code beyond one hundred twenty-five percent (125%) - from 58 required spaces to 94 spaces proposed (162%). The adoption of the Zoning and Development Code created a provision which established a limit for the maximum number of parking spaces provided for a development. If a development provides more than twenty five percent (25%) of parking spaces beyond the required minimum determined by the use, for a total greater than one hundred (125%), they must obtain a use permit and provide additional landscaping. To date, no public input has been received. Staff recommends approval of the use permit.



PAGES:

1. List of Attachments
2. Comments; Reason(s) for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan

COMMENTS:

The applicant for the Fifth Street Industrial Plaza Inc. is requesting a use permit to increase the parking standard from 58 spaces to 94 spaces for the Phase 2 project. This use permit is to modify the parking provided, which will exceed 125% of the required parking. Based on the existing parking for buildings A and B (phase 1), the applicant requests an increase in the parking spaces for buildings C and D (phase 2), due to the high demand of parking spaces on site.

Additional landscape will be required due to the excessive parking numbers. One (1) new tree shall be planted for every five (5) new parking spaces. The applicant is requesting thirty six (36) extra parking spaces which would require seven (7) new trees. The applicant shall submit a new site plan, landscape plan and lighting plan that will need to be reviewed and approved by the Building Safety Department. The revised plans will be added to the Building Permit for this development.

Neighborhood Meeting

A neighborhood meeting is not a requirement for processing a use permit. To date, no public input has been received on this request.

Use Permit

The Zoning and Development Code requires a use permit to allow the number of surface parking spaces provided for a development to exceed 125% of the minimum required spaces required by ordinance. A maximum parking space provision was created to minimize the "heat island" effect associated with large expanses of asphalt. Should a development need more than 25% beyond the minimum required; a use permit may be processed with a requirement for additional landscaping on the site and that the request meets the criteria for approval of a use permit.

Conclusion

Staff recommends approval of the use permit. The parking quantity is compatible with the existing buildings on-site and the developer will be conditioned to provide additional landscape material.

REASON(S) FOR APPROVAL:

1. The use covered by the permit, the manner of its conduct, and any building which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirements, or standards prescribed therefore by the Zoning and Development Code;
2. There appears to be no significant increase in vehicular or pedestrian traffic;
3. There appears to be no nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
4. This use will not contribute to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan;
5. The location is compatible with existing surrounding structures and uses.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. The additional landscape material proposed for the parking area to be approved with a development plan by the Development Review Commission.
2. The applicant shall plant one (1) 24" box tree for every five (5) additional parking spaces totaling seven (7) trees. The species and planting locations are to be determined by Development Review staff. Contact staff by **August 17, 2007**.
3. The applicant shall submit a Site Plan, Lighting Plan, and Landscape Plan Revision to the Building Safety Department for BP061774 and BP070735.

HISTORY & FACTS:

March 21, 1984: The Design Review Board approved the building elevations, site and landscape plans for a Storage Yard located at 1975 East 5th Street in the I-2, General Industrial District.

May 22, 1986: The Design Review Board approved the building elevations, site and landscape plans for Fifth Street Industrial Plaza located at 1971 East 5th Street in the I-2, General Industrial District. Note: Buildings A & B of the Industrial Plaza are included in this proposal.

April 15, 1987: The Design Review Board approved the request for Sign Criteria by Fifth Street Industrial Plaza located at 1971-1975 East 5th Street in the I-2, General Industrial District.

January 7, 1988: The Design Review Board approved the building elevations, site and landscape plans for Fifth Street Industrial Plaza (Buildings C and D) located at 1979 East 5th Street in the I-2, General Industrial District.

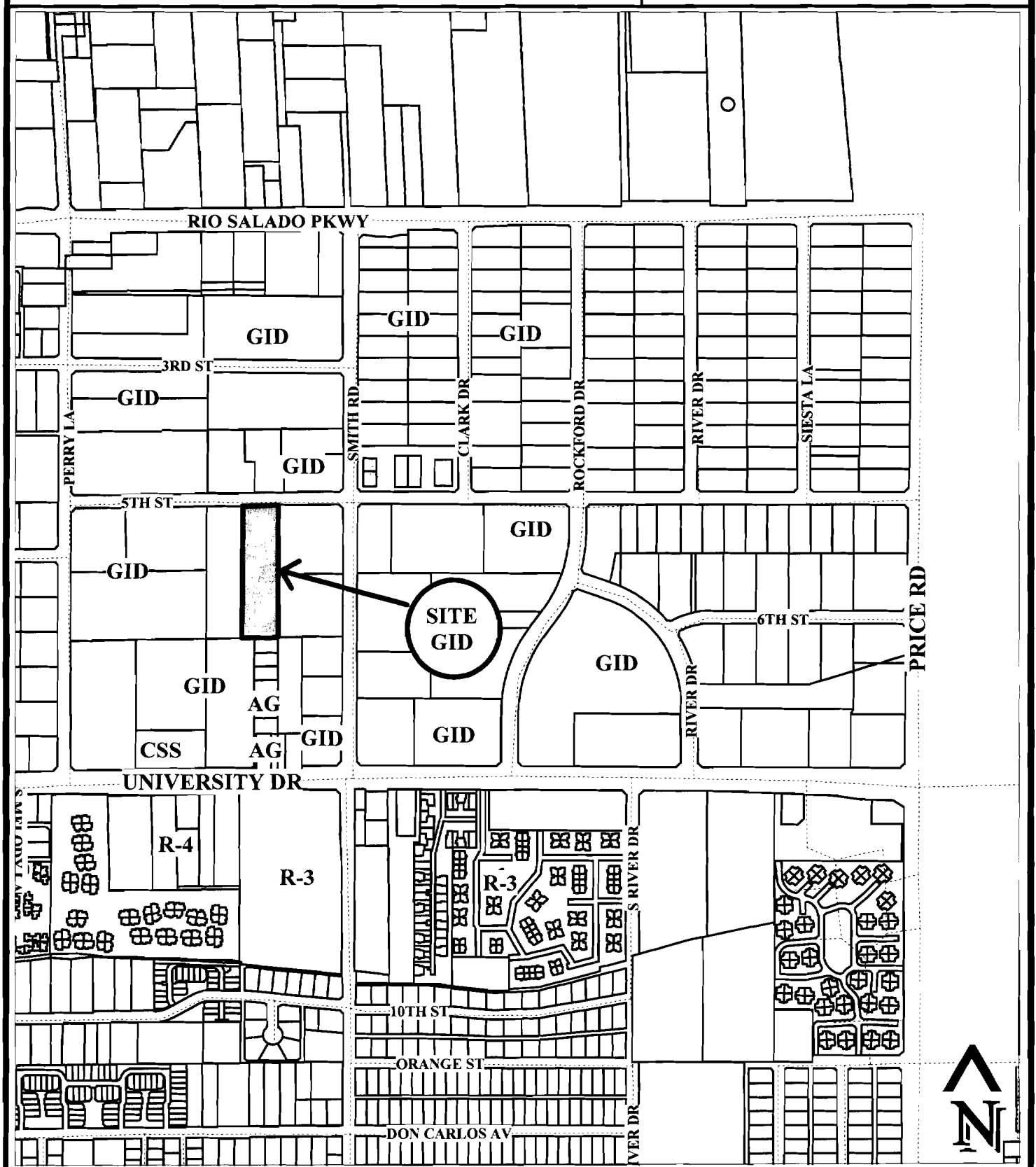
October 10, 2006 The Development Review Commission approved a development of two office and warehouse buildings totaling 42,500 s.f. in area on a 2.35 net acre site, located at 1979 East Fifth Street in the GID, General Industrial Zoning District.

DESCRIPTION:

Owner – Marvin Spaz
Applicant – James Phillips
Existing zoning – GID, General Industrial District
Lot Size – 204, 896 s.f. / 4.7 acres
Building Area (Phase 1) – 42,910 s.f.
Building Area (Phase 2) – 42,500 s.f.
Existing Parking (Phase 1) – 99 spaces
Proposed Parking Provided (Phase 2) – 94 spaces
Proposed Parking Required (Phase 2) – 58 spaces
Total Parking for Site – 193 spaces

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 4, Chapter 6, Section 4-603
Part 6, Chapter 3, Section 6-308

5TH ST INDUSTRIAL PLAZA INC.
PL060569




FIFTH STREET INDUSTRIAL PLAZA INC. (PL060569)

James B. Phillips, Architect
36112 North 15th Avenue
Phoenix, Arizona, 85086
Phone: (623)434-7210
Fax: (623)434-7213

City of Tempe

6/12/2002

Re:

Fifth Street Industrial Plaza
1979 East 5th Street
Tempe, Arizona

CITY OF TEMPE
USE PERMIT LETTER OF EXPLANATION

The owner of Fifth Street Industrial Plaza, Inc. wishes to increase the parking from the required 58 spaces to 94 spaces. Phase One of this project on the adjacent property to the west, was built when parking requirements were greater (99 spaces were provided) and the owner finds that most of the parking is in use on a daily basis.

Since this project is identical (Office Warehouse) to phase one, the owner is sure his parking requirements will be the same as on the property to the west.

A visit to the phase one site on a week day is convincing that more than 54 spaces are needed.

James Phillips, Architect

